

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Prepared by: Carmencita María Pedro,
natural Mother of Kerry Lorenzo Fisher, Jr.

Addresses of Record for Mailing and Service:
P.O. Box 15616
Philadelphia, PA 19131
carmencitapedro@gmail.com
kerry.lorenzo.fisher@gmail.com
(267) 670-3721 cell

Carmencita María Pedro and
Kerry Lorenzo Fisher, Jr.

pro se Plaintiffs

v.

Hilton Worldwide, Inc.

Campus Realty Properties V, L.P.

Hersha Hospitality Trust;

Hersha Hospitality Management, L.P.

Nancy Gasperetti;

Klehr Harrison Harvey Branzburg, L.L.P.

A. Grant Phelan, Esquire;

Michael Paul Bannon, Esquire;

City of Philadelphia

Philadelphia Mayor Cherelle L. Parker

Defendants

Civil Action Number _____

Civil Rights Cause of Action

JURY TRIAL DEMANDED

COMPLAINT

AND NOW, the *pro se* Plaintiffs – Carmencita María Pedro and Kerry Lorenzo Fisher, Jr. (hereinafter “Plaintiffs,” “Pedro,” and “Kerry,” respectively – hereby aver as follows:

I. Plaintiffs

1. Carmencita María Pedro is a Puerto Rican woman age 52 blessed with deeply melanated skin, and natural born citizen of the United States and the Commonwealth of Pennsylvania living in Philadelphia.
2. Pedro is also the natural Mother, chosen advocate, authorized representative, identified support person, designated agent, home health aide, and Power of Attorney for her son: Kerry Lorenzo Fisher, Jr.
3. Pedro’s current residential address is 541 North Paxon Street, Philadelphia, PA 19131.
4. Pedro’s mailing address and telephone number are P.O. Box 15616, Philadelphia, PA 19131, (267) 670-3721.
5. In both her personal and official capacities, Pedro serves Kerry as a passionate, zealous, fearless, assiduous, vociferous, tenacious, efficacious, fastidious, fiercely protective and wholly unapologetic champion for his life, health, safety, well-being, emotional stability, physical welfare, rights, liberties, freedoms, privileges, entitlements, protections, and his best interests.
6. Kerry is an Afro-Latino young man age 31 blessed with deeply melanated skin age 31, and a natural born citizen of the United States and Commonwealth of Pennsylvania. Kerry lives in Philadelphia with the chronic psychiatric disability of Schizophrenia, in addition to other chronic medical conditions for which he is actively receiving care as an established patient of the University of Pennsylvania Health System d/b/a Penn Medicine. Based on his chronic psychiatric disability, Kerry is a beneficiary of Social Security, Medicare & Medicaid.
7. Kerry’s current residential address is the Homewood Suites by Hilton University City, 4109 Walnut Street, Philadelphia, PA 19104, where he has lived in accordance with the medical recommendations of his treating physicians since establishing permanent residency effective 5:18 PM on Tuesday, 3 September 2024 pursuant to 61 Pa. Code – Chapter 38 Hotel Occupancy Tax – Section 38.3 Definitions. Therein, a permanent resident is defined as follows: *“Permanent resident. A person who has occupied or has had the right to occupy a room or rooms in a hotel for 30 consecutive days or more.”*
8. Referring to 48 Pa. C.S.A. Lodging and Housing – Subchapter B. Rights – Section 1311. Hotelkeepers and campground owners., (g.) Definitions., a lodging establishment is explicitly defined, in relevant part, as follows: *“Lodging establishment.” Except for a time-share arrangement, any of the following...(4) A place recognized as a hostelry,*

except for portions of the facility which are devoted to persons who have established permanent residence...” *[Emphasis added.]*

9. Because Kerry established his permanent residence at the Homewood Suites by Hilton University City effective Tuesday, 3 September 2024, he acquired tenant rights at 4109 Walnut Street, Philadelphia, PA 19104.
10. Kerry’s current residential address on his Pennsylvania state-issued identification card and voter registration record is 4109 Walnut Street, Philadelphia, PA 19104.
11. Kerry’s mailing address and telephone number are: P.O. Box 15616, Philadelphia, PA 19131, (267) 670-3721.

II. Defendants

12. Hilton Worldwide, Inc. (“Hilton”) is a publicly traded [NYSE: HLT] *“leading, global hospitality company”* and foreign business corporation formed in Delaware, which is headquartered in the United States at 7930 Jones Branch Drive, McLean, Virginia 22102, (703) 883-1000.
13. Homewood Suites, one of Hilton’s many brands, is an extended-stay residential hotel.
14. Campus Realty Properties V, LP (“Campus Realty Properties”) is a domestic limited partnership (LLP/LLLP) whose principal place of business is situated at 4043 Walnut Street, Philadelphia, PA 19104.
15. Campus Realty Properties is the owner of record of the real property located at 4109 Walnut Street, Philadelphia, PA 19104, which houses the Homewood Suites by Hilton University City.
 - a. The 76ers billionaire owner David Adelman is a white man and principal owner of Campus Realty Properties V, LP.
 - b. David Adelman reportedly holds an ownership interest in the Homewood Suites by Hilton University City.
 - c. It is publicly known that David Adelman and Philadelphia Mayor Cherelle L. Parker are newfound friends and business partners in the hugely controversial 76ers arena venture which they are hoping to erect at the intersection of 10th & Market Streets in Center City Philadelphia with the goal of displacing the Asian community in Chinatown.
 - d. It has become apparent that Mayor Parker’s friendship and business arrangements with David Adelman includes permission to eschew, evade, ignore, defy and circumvent compliance with the rule of law, to which he and his business entities are beholden, particularly concerning landlord-tenant matters against people of color and individuals with disabilities.

16. Hersha Hospitality Trust is a foreign business corporation formed in Maryland whose principal place of business is situated at 2100 Market Street, Philadelphia, PA 19103, (215) 238-1281.
17. Hersha Hospitality Trust reportedly holds ownership interests in and management responsibilities for the Homewood Suites by Hilton University City hotel.
18. Hersha Hospitality Management, L.P. is a domestic limited partnership (LLP/LLLP) whose principal place of business is situated at 2100 Market Street, Philadelphia, PA 19103, (215) 238-1281.
19. Hersha Hospitality Management reportedly holds ownership interests in and management responsibilities for the Homewood Suites by Hilton University City hotel.
20. Nancy Gasperetti is a white person and an employee/representative/agent of Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management. (“GASPERETTI”)
21. GASPERETTI is the General Manager of Homewood Suites by Hilton University City, and her business email addresses are: Nancy.Gasperetti@hilton.com and Nancy.Gasperetti@hbmhotels.com.
22. At all times relevant, GASPERETTI has knowingly and willfully acted in her professional capacity for, and on behalf of, and in the names of herself; Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management.
23. Klehr Harrison Harvey Branzburg, L.L.P. (“Klehr”) is legal counsel for Defendants Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management. Klehr law firm is situated at 1835 Market Street, Suite 1400, Philadelphia, PA 19103, (215) 569-2700.
24. A. Grant Phelan, Esquire [PA Attorney ID No. 657741] is equity partner in the Klehr law firm and attorney of record for Defendants Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management. (“PHELAN”)
25. Michael Paul Bannon, Esquire [PA Attorney ID No. 333620] is an associate of the Klehr law firm and attorney of record for Defendants Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management. (“BANNON”)
26. The City of Philadelphia is a County, First Class City, municipal government and local agency of the Commonwealth of Pennsylvania.
27. Cherelle L. Parker is the 100th Mayor of the City of Philadelphia, and the first woman and Mother elected to the office.

III. Jurisdiction

This is a civil rights cause of action pursuing damages in excess of \$75,000.00 that raises Federal questions and Diversity of Citizenship. The Court has subject matter and personal jurisdiction over the parties to this civil rights cause of action pursuant to, *inter alia*, the following rule of law:

- Constitution of the United States of America
- Americans with Disabilities Act
- Section 504 of the Rehabilitation Act
- Civil Rights Act of 1964
- Fair Housing Act
- 42 U.S.C. § 1981. Equal rights under the law.
- 42 U.S.C. § 1983. Civil action for deprivation of rights.
- Constitution of the Commonwealth of Pennsylvania
- 48 Pa. C.S.A. Lodging and Housing
- 61 Pa. Code – Chapter 38 Hotel Occupancy Tax
- The Philadelphia Code

IV. Relevant Background and Statement of Claims

Kerry and Pedro checked into the Homewood Suites by Hilton University City fifty-two (52) days ago at 5:18 PM the evening of Tuesday, 3 September 2024 under duress and urgent circumstances immediately after Kerry was negligently and recklessly discharged from a private psychiatric hospital, specifically, Malvern Constitution, LLC d/b/a Malvern Behavioral Health, 1930 South Broad Street, Philadelphia, PA 19145 (“Malvern”). September 3rd marked the conclusion of twenty-one (21) months of acute inpatient psychiatric (“AIP”) hospitalization, to which Kerry voluntarily consented pursuant to Section 201 of the Mental Health Procedures Act of Jul. 9, 1976, P.L. 817, No. 143, Cl. 50 because he is chronically homeless.

For 21-months, Kerry patiently waited to receive permanent housing from the City of Philadelphia municipal government that has **NEVER** materialized under the administrations of Mayors James F. Kenney or Cherelle L. Parker from the date of his initial voluntary AIP admission on Tuesday, 6 December 2022 into Friends Behavioral Health System, LP d/b/a Friends Hospital, 4641 Roosevelt Boulevard, Philadelphia, PA 19124.

Kerry’s residential placement in the community at the Homewood Suites by Hilton University City extended stay hotel was the AIP discharge plan he originally envisioned for himself in November 2023 while awaiting permanent housing. In the absence of any viable

options, Kerry's treating physicians explicitly adopted and continually recommended his discharge plan between December 2023 and August 2024 which also garnered written endorsement from an authorized representative of the City of Philadelphia municipal government, specifically: Community Behavioral Health ("CBH") Chief Executive Officer Donna E.M. Bailey. There is no return to the status quo for Kerry, considering that his immediate-past residence (March 2023 – September 2024) was an acute inpatient psychiatric unit in the care of Malvern Behavioral Health. Moreover, it is commonly known that hospital admissions are based on medical necessity, not the whims or wishes of landlords and lawyers who are hellbent on perverting the rule of law, intentionally defrauding the Court, and intentionally depriving the Plaintiffs of their constitutional rights to due process and equal protection under the law.

As of September 3rd and each and every day subsequent, Kerry has lived at the Homewood Suites by Hilton University City, where Pedro has been physically present assisting him with his activities of daily living ("ADLs") and instrumental activities of daily living ("IADLs") in her official roles as Kerry's home health aide and Power of Attorney consistent with the explicit medical recommendations of his treating physicians.

For the very first time on Thursday, 5 September 2024, Pedro phoned Assistant General Manager Carla Staples of the Homewood Suites by Hilton University City. Pedro candidly shared with Ms. Staples that Kerry lives with the serious and persistent mental illness of Schizophrenia and the urgent circumstances that resulted in us checking into the hotel under duress on the evening of September 3rd for the express purpose of establishing permanent residency for him within the context of a landlord-tenant relationship until we secure permanent housing. Pedro informed Ms. Staples that they were spending Kerry's Social Security savings to pay for their extended stay and therefore had limited financial resources while actively pursuing Malvern for payment (reimbursement and upfront) to cover his residency at the Homewood Suites by Hilton University City as promised in writing, which would likely necessitate legal action to resolve and present a future need for rental assistance.

Upon the conclusion of our September 5th telephone conversation, Ms. Staples acknowledged and supported our intent to forge with the Homewood Suites by Hilton University City a landlord-tenant relationship for Kerry. Ms. Staples also expressed her "*complete understanding*" and thanked Pedro for openly sharing vital information about Kerry "*to help her better understand [our] situation.*" Ms. Staples "*assured*" Pedro that Kerry would be treated with dignity and respect and his legal rights would be honored during his tenancy. Lastly, Ms. Staples invited Pedro to "*contact*" her if we "*need anything or have additional questions during [our] stay,*" as evidenced infra. Pedro's September 5th discussion with Ms. Staples in her professional capacity and the email confirmation dated 5 September 2024 (10:47 AM) that she subsequently addressed and transmitted to carmencitapedro@gmail.com from Carla.Staples@hhmhotels.com imparted to Pedro the establishment of a landlord-tenant relationship between the Homewood Suites by Hilton University City and Kerry.

10/13/24, 10:17 AM

Gmail - Contact Info



Carmencita Maria Pedro <carmencitapedro@gmail.com>

Contact Info

Carla Staples <carla.staples@hmmhotels.com>

Thu, Sep 5, 2024 at 10:47 AM

To: "carmencitapedro@gmail.com" <carmencitapedro@gmail.com>

Good morning again Ms. Pedro,

It was truly a pleasure to speak with you this morning. Thank you for sharing what you are going through with your son to better help me understand your situation. I know that's not always easy and I have encountered those who don't understand the extremity of the situation and/or the lack of resources that are truly available at times. They don't understand the impact it can take on even the parent/caregiver, so rest assured you have complete understanding with me.

As we also discussed, you would need to have a payment of \$22.15 processed today on the card on file. And your new Hilton honors # is 2223019957.

Should you need anything more or have additional questions during your stay, please don't hesitate to contact me.

Enjoy your child and this time together and have a truly blessed day!

—

Carla Staples**Assistant General Manager****Homewood Suites by Hilton University City****4109 Walnut Street, Philadelphia, PA 19104****Direct: 1 215 382 1111 Ex: 4907 | Fax: 1 215 382 4444**

<https://mail.google.com/mail/u/0/?ik=9a37f32587&view=pt&search=all&permmsgid=msg-f:1809367860584007460&simpl=msg-f:1809367860584007460>

1/1

Time and time again, Ms. Staples has made it abundantly clear to Pedro that she is in fact an agent and representative for the owners and property management of Homewood Suites by Hilton University City vested with the legal authority to speak for them, namely: Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management.

When Kerry and Pedro checked into the Homewood Suites by Hilton University City at 5:18 PM on Tuesday, 3 September 2024, they initially booked and paid rent for four (4) nights. 61 Pa. Code § 38.3. Definitions. explicitly states as follows:

“Rent—The consideration received for occupancy as defined in this section valued in money, whether actually received in money or otherwise, including all receipts, cash, credits and property or services of any kind or nature. Also, any amount for which an occupant is liable for occupancy, as defined herein, without any deduction therefrom whatsoever.”

Thereafter, Pedro and Kerry extended their stay several times and paid their rent in full through 11:00 AM on Saturday, 12 October 2024 totaling \$7,511.00 as of the instant date. Effective the 31st day of their extended stay on Friday, 4 October 2024 retroactive to Tuesday, 3 September 2024, Kerry established permanent residence at the Homewood Suites by Hilton University City pursuant to 61 Pa. Code § 38.3. Definitions. In fact, Pedro received an explanation of Kerry’s permanent resident status and gained a fuller understanding of his tenancy rights from Christian Braico, Director of Sales & Marketing for the Homewood Suites by Hilton University City, which occurred when Mr. Braico phoned Pedro on October 4th to further extend their stay.

On Friday, 11 October 2024, Pedro phoned Ms. Staples and advised her that additional monies Kerry was expecting to receive as of that date had not yet arrived, and they consequently needed rental assistance due to financial hardship, as Pedro and Ms. Staples previously discussed during their initial telephone conversation on September 5th. Pedro and Kerry have never stated, indicated or expressed to anyone an unwillingness to pay their rent, however, they have communicated the need for financial assistance doing so. Thus, Pedro invoked Kerry’s tenancy rights and informed Ms. Staples of the City of Philadelphia’s Eviction Diversion Program, participation in which is mandatory prior to pursuing any legal action in a court of law arising from past due rent or to dispossess a tenant of rented property. See The Philadelphia Code § 9-811. Eviction Diversion Program., which also provides Targeted Financial Assistance to satisfy past due rent plus two (2) months of forward rent payments.

In response, Ms. Staples stated that she needed to seek guidance from her superiors before engaging the City of Philadelphia’s Eviction Diversion Program and would call back as soon as possible. Prior to concluding our telephone conversation on October 11th, Ms. Staples did not instruct Pedro to leave the Homewood Suites by Hilton University City with her son, nor did any other person.

On October 11th, neither Pedro nor Kerry had any physical encounters with the Philadelphia Police Department at 4109 Walnut Street or any other location, and no Philadelphia Police Officers arrived to escort Pedro or Kerry off the premises on October 11th.

Moreover, Pedro had no conversations with any staff members in the public space of the hotel registration desk regarding payment for their room on October 11th.

The next telephone call Pedro received from Ms. Staples was the afternoon of Saturday, 12 October 2024, at which time Ms. Staples told Pedro that she “comped” their October 12th rent payment, but the owners and property management of the Homewood Suites by Hilton University City ordered her to initiate an illegal self-help eviction against Kerry and Pedro, by extension, in retaliation for our lawful assertion of the tenancy rights that are afforded to Kerry as an individual who has established permanent residency.

On October 12th, Ms. Staples served to Pedro oral notice that the owners and property management of the Homewood Suites by Hilton University City ordered her to place a discriminatory and retaliatory 911 call the Philadelphia Police Department at 11:00 AM on Sunday, 13 October 2024 to summon Philadelphia Police officers to the property for the express purpose of escorting Pedro and Kerry off the premises in willful defiance of The Philadelphia Code § 9-1603. Unlawful Self-Help Eviction Actions Prohibited. Pedro advised Ms. Staples that any such action would be unlawful, and she intended to act appropriately to protect her son.

To that end, Pedro twice called 911 and spoke with Dispatchers #214 and #231 the morning of Sunday, 13 October 2024 (9:46 AM and 11:09 AM) seeking assistance from the Philadelphia Police Department to protect Kerry’s health, safety, well-being, and his legal rights. At approximately 1:35 PM on October 13th, Philadelphia Police Officers Hines (Badge #3910) and Payne (Badge #5267) of the 18th District knocked on the door of Room 608 at the Homewood Suites by Hilton University City. Pedro answered the door and invited the officers inside, as she and Kerry wanted to speak with them, considering that they initiated the 911 calls on that date requesting police assistance. Ms. Staples remained outside in the hallway. Once they were inside Room 608, Pedro explained to P/O Hines and Payne Kerry’s permanent resident status; and she invoked Kerry’s tenancy rights; and she asserted both our right to due process and Kerry’s eligibility for the City of Philadelphia Eviction Diversion Program, as well as the City’s Targeted Financial Assistance which provides rental payments to satisfy arrearage and 2-months of forward payments. In response, P/O Hines and Payne called for the assistance of a supervisor. Shortly thereafter, Lieutenant Rechner (Badge #130) arrived on the scene and he too entered Room 608, at which time Pedro explained, invoked and asserted the same to him. Ultimately, Lt. Rechner, P/O Hines and Payne exited our hotel room taking no action and providing us with no advisements, guidance or paperwork. Although, Pedro overheard Lt. Rechner in the hallway speaking with Ms. Staples and advising her to pursue a legal action against us for eviction in landlord-tenant court [DC #24-18-052849].

As evidenced by Pedro and Kerry’s Guest Folio dated Sunday, 13 October 2024, Ms. Staples not only lied about “comping” our October 12th rent payment – as acts of discrimination and retaliation in direct response to our assertion of Kerry’s tenancy rights – she increased our daily rental payment from the \$185.00 we had been paying since September 17th to \$199.00 with no prior notice and no prior agreement. Notwithstanding, Homewood Suites by Hilton University City made multiple unauthorized attempts to illegally charge Pedro’s credit card on file \$199.00 without her knowledge or express consent.



Homewood Suites by Hilton - University City
Philadelphia, PA
4109 Walnut St, Philadelphia 19104 US
2153821111
PHLUP_homewood@hilton.com

Date Range: Sep 03, 2024 - Oct 13, 2024
Tax#/ID# :

Guest Folio

Confirmation Number - [REDACTED]

Primary Guest

Guest Name
 Address
 City, State, Zip Code
 Country

Pedro, Carmencita Maria
 PO Box 15616
 Philadelphia PA 19131
 US

ADDN GUESTS

Kerry Fisher Jr

Hilton Honors

Member
 [REDACTED]

Stay Details

Check In Date Sep 03, 2024
 Check Out Date Oct 13, 2024
 Room KHWN - 608
 Source OWN HOTEL
 Guests 2/0

Company Details

Name
 Tax#/ID#
 PO Number
 Account Name

Other Details

Bill Number
 Tax/Fee YES
 Exemption
 Tax/Fee Oct 04, 2024
 Exempt Date

Travel Agent

IATA
 Name

Date	Type	Description	Amount
Sep 03, 2024	Payments	VISA-3853	-\$1,252.09
Sep 03, 2024	Charge	GUEST ROOM-Tax Exempted	\$239.00
Sep 04, 2024	Charge	GUEST ROOM-Tax Exempted	\$259.00
Sep 05, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 06, 2024	Payments	VISA-3853	-\$1,411.63
Sep 06, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 07, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 08, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 09, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 10, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 11, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 12, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 13, 2024	Payments	VISA-3853	-\$694.74
Sep 13, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 14, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 15, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 16, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00
Sep 17, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 18, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 19, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 20, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 21, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 22, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 23, 2024	Payments	VISA-3853	-\$1,291.68
Sep 23, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 24, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 25, 2024	Payments	VISA-3853	-\$215.28
Sep 25, 2024	Payments	VISA-3853	-\$861.12
Sep 25, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00

Check In Time 05:18 PM Reservations homewoodsuites.com or +1-800-CALL-HOME

Check Out Time

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Date	Type	Description	Amount
Sep 26, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 27, 2024	Payments	VISA-3853	-\$645.84
Sep 27, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 28, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 29, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Sep 30, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 01, 2024	Payments	VISA-3853	-\$430.56
Oct 01, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 02, 2024	Payments	VISA-3853	-\$215.28
Oct 02, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 03, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 04, 2024	Payments	VISA-3853	-\$492.78
Oct 04, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 05, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 06, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 07, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 08, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 09, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 10, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 11, 2024	Charge	GUEST ROOM-Tax Exempted	\$185.00
Oct 12, 2024	Charge	GUEST ROOM-Tax Exempted	\$199.00

Summary

Type	Amount
GUEST ROOM	\$7,710.00
CREDIT CARD	\$7,511.00
Folio Balance	\$199.00

This informational flyer is pertinent to the subject matter presently before the Court:



TENANTS' RIGHTS IN BOARDING HOUSES, HOTELS AND MOTELS

In Pennsylvania, a lease can be written or oral. Tenants and landlords have legal obligations and rights. The landlord must keep the rental home in good conditions. The tenant must pay the rent in full and on time. A landlord must file a civil court case in order to end a lease and make a tenant move.

Who is a tenant? In Pennsylvania, a tenant is a person who rents a dwelling, which can be a condo, an apartment, a single room, a mobile home, or a house.

A person renting a hotel room can be a tenant. Legally, it may not matter whether a place is called a "hotel," "motel," or a "boarding or rooming house." Also, it may not matter if the person is called a "guest" by the owner of the property. A person renting a hotel room may be a tenant even if what the person pays is called "fees" by the owner of the property. Particularly if the room is the person's *sole residence* (their "home"), then the person may very well be a "tenant" who can only be evicted by the courts, as opposed to a "guest" who can be removed by the police as a "trespasser."

Factors that a court would look at to decide whether a person renting a hotel room is a tenant include:

- Is it the person's sole residence?
- How long has the person been staying there?
- Does the person get mail there?
- Does the person have a key to the room?
- Is the room furnished?
- Do you have children? Do the children go to school?
- Does it have a cooking area/kitchen?
- How often are payments made?
- What are the payments called?
- Are regular cleaning and/or linen turndown services provided?

A person does not necessarily have to meet all of the factors above to be considered a tenant.

A person living in a hotel room may have the same legal rights as any other tenant.

- ▶ A landlord has no right to seize a tenant's belongings for past-due rent.
- ▶ A landlord must file a civil court action to make a tenant move. Only a sheriff or constable can enforce a court decision to evict a tenant. Only the sheriff or constable can padlock a dwelling.
- ▶ Within 10 days after the padlocking, a landlord must release a tenant's personal property without any a fee or the tenant must notify that they want to retrieve their personal property within 30 days. In such a case, the tenant is responsible for reasonable storage costs.
- ▶ A landlord is not allowed to change locks, turn off the electricity or water, or do other things to force a tenant to move. If a landlord does not follow the law to evict, then a tenant can sue for illegal eviction. A tenant might also get a court order to get back into the dwelling, restore utilities, recover his/her property, and/or compensation for his/her loss(es).

Legal help. To apply for help from MidPenn Legal Services, call us at 1-800-326-9177 (Monday through Friday from 8:30 a.m. to 3:30 p.m.) or apply online at apply.midpenn.org. In Lancaster County call: 717-299-0971 or 800-732-0025. In York County call: 717-848-3605.

As indicated, Kerry's tenancy at the Homewood Suites by Hilton University City began inside Room 608 where he lived until the **BED BUG FLASCO** happened on Tuesday, 15 October 2024:

10/25/24, 3:38 AM

Gmail - In re: Kerry Lorenzo Fisher, Jr. - A "Permanent Resident" with Tenancy Rights at the Homewood Suites by Hilton Universit...



Carmencita Maria Pedro <carmencitapedro@gmail.com>

In re: Kerry Lorenzo Fisher, Jr. - A "Permanent Resident" with Tenancy Rights at the Homewood Suites by Hilton University City Pursuant to 61 Pa. Code § 38.3 Presently Being Subject to ILLEGAL Discrimination and ILLEGAL Retaliation Based on Protected Characteristics and the Exercise of Legal, Civil and Constitutional Rights AND Possible Bed Bug Infestation in Room 608

Carmencita Maria Pedro <carmencitapedro@gmail.com>

Tue, Oct 15, 2024 at 11:11 AM

To: "neil.shah@hersha.com" <neil.shah@hersha.com>, "christopher.doyle@hersha.com" <christopher.doyle@hersha.com>, "stephanie.galli@hersha.com" <stephanie.galli@hersha.com>, nancy.gasperetti@hilton.com
Cc: Carmencita Maria Pedro <carmencitapedro@gmail.com>, kerry.lorenzo.fisher@gmail.com, carla.staples@hbmhotels.com, christian.braico@hbmhotels.com, "tyanna.brown@hbmhotels.com" <tyanna.brown@hbmhotels.com>

CARMENCITA MARÍA PEDRO

P.O. Box 15616 • 541 North Paxon Street • Philadelphia, PA 19131

(267) 670-3721 • carmencitapedro@gmail.com

Tuesday, 15 October 2024, 11:11 AM

Via Electronic Mail Neil.Shah@hersha.com

Neil H. Shah, President & Chief Executive Officer, Hersha Hospitality Trust d/b/a Hersha Hospitality Management, 2001 Market Street, Suite 3600, Philadelphia, PA 19103

Via Electronic Mail Christopher.Doyle@hersha.com

Christopher Doyle, Senior Vice President of Asset Management, Hersha Hospitality Trust d/b/a Hersha Hospitality Management, 2001 Market Street, Suite 3600, Philadelphia, PA 19103

Via Electronic Mail Stephanie.Galli@hersha.com

Stephanie Galli, Senior Vice President & General Counsel, Hersha Hospitality Trust d/b/a Hersha Hospitality Management, 2001 Market Street, Suite 3600, Philadelphia, PA 19103

Via Electronic Mail Nancy.Gasperetti@hilton.com

Nancy Gasperetti, General Manager, Homewood Suites by Hilton University City, 4109 Walnut Street, Philadelphia, PA 19104

10/25/24, 3:38 AM

Gmail - In re: Kerry Lorenzo Fisher, Jr. – A “Permanent Resident” with Tenancy Rights at the Homewood Suites by Hilton Universit...

In re: Kerry Lorenzo Fisher, Jr. – A “Permanent Resident” with Tenancy Rights at the Homewood Suites by Hilton University City Pursuant to 61 Pa. Code § 38.3 Presently Being Subject to ILLEGAL Discrimination and ILLEGAL Retaliation Based on Protected Characteristics and the Exercise of Legal, Civil and Constitutional Rights AND Possible Bed Bug Infestation in Room 608

Dear Messrs. Shah, Doyle and Gasperetti and Attorney Galli:

My name is Carmencita María Pedro. I am the natural Mother, chosen advocate, authorized representative, identified support person, designated agent, home health aide, and Power of Attorney for my son: Kerry Lorenzo Fisher, Jr. In both my personal and official capacities, I serve Kerry as a passionate, zealous, fearless, assiduous, vociferous, tenacious, efficacious, fastidious, fiercely protective and wholly unapologetic champion for my son’s life, and my son’s health, and my son’s safety, and my son’s well-being, and my son’s emotional stability, and my son’s physical welfare, and my son’s rights, liberties, freedoms, privileges, entitlements, protections, and his best interests.

You have knowledge of the fact that Kerry is an Afro-Latino young man age 31 living with the chronic psychiatric disability of Schizophrenia, in addition to other chronic medical conditions for which he is actively receiving care as a patient of the University of Pennsylvania Health System d/b/a Penn Medicine, with whom the Homewood Suites by Hilton University City shares a fruitful business relationship.

As you know, my son and I checked into the Homewood Suites by Hilton University City forty-two (42) days ago at 5:18 PM the evening of Tuesday, 3 September 2024 under duress and urgent circumstances immediately after Kerry was discharged from Malvern Constitution, LLC d/b/a Malvern Behavioral Health following twenty-one (21) continuous months of acute inpatient psychiatric hospitalization, to which my son voluntarily consented pursuant to Section 201 of the Mental Health Procedures Act of Jul. 9, 1976, P.L. 817, No. 143, Cl. 50 while he patiently waited to receive permanent housing from the City of Philadelphia municipal government that **NEVER** materialized under the administrations of Mayors James F. Kenney or Cherelle L. Parker from the date of Kerry’s initial voluntary admission into Friends Behavioral Health System, LP d/b/a Friends Hospital on Tuesday, 6 December 2022 through the present.

As of September 3rd and each and every day subsequent, Kerry has lived at the Homewood Suites by Hilton University City, 4109 Walnut Street, Room 608, Philadelphia, PA 19104, where I have been physically present assisting my son with his activities of daily living (“ADLS”) and instrumental activities of daily living (“IADLS”) in my official roles as Kerry’s home health aide and Power of Attorney.

You all have full knowledge of the fact that effective Friday, 4 October 2024 – which was thirty-one (31) days after we checked-in at 5:18 PM on September 3rd – Kerry established “*permanent resident*” status at the Homewood Suites by Hilton pursuant to Title 61 Chapter 38 Hotel Occupancy Tax, wherein a “*permanent resident*” and “*rent*” are explicitly defined in plain English at 61 Pa. Code § 38.3. Definitions.

10/25/24, 3:38 AM

Gmail - In re: Kerry Lorenzo Fisher, Jr. - A "Permanent Resident" with Tenancy Rights at the Homewood Suites by Hilton Universit...

While it is true that you all have an extant legal dispute with us related to and arising from Kerry's permanent resident status, his tenancy rights, and our "rent" payments resulting in the **ILLEGAL discrimination and ILLEGAL retaliation** we are currently enduring at the Homewood Suites by Hilton University City, our physical and mental health, emotional well-being and safety are of most immediate concern to us at this time.

You are hereby served with written notification of the following public health concern:

I awoke this morning – Tuesday, 15 October 2024 – inside Room 608 at the Homewood Suites by Hilton University City with a series of red, itchy bite marks, bumps and welts along the length of my right leg which I certainly hope and pray are not indicative of a bed bug infestation.

Right now, I am actively engaged in the process of scheduling an appointment with my Penn Medicine dermatologist to ascertain a diagnosis and treatment plan for the afflicting skin condition. Of course, I will advise you of the outcome of my medical visit, as it may impact our continued stay in Room 608, possibly necessitating an immediate room change and other related services from the Homewood Suites by Hilton University City to properly rectify **the bed bug infestation**, if any.

Once my immediate healthcare needs are appropriately addressed, I will circle back to you for the express purpose of resolving our legal dispute regarding Kerry's permanent resident status, his tenancy rights, and our "rent" payments which require a resolution to put an end to the **ILLEGAL discrimination and ILLEGAL retaliation** we have recently been subjected to at the Homewood Suites by Hilton University City.

Thank you in advance for your anticipated cooperation and compliance with ALL applicable Federal, State and local laws, regulations, ordinances, codes, rules, bulletins, requirements, policies, procedures, and protocols that are incumbent upon the Homewood Suites by Hilton and each of you to abide in your respective professional capacities.

Very truly yours,

/s/ Carmencita María Pedro

***Courtesy copies to everyone, everywhere as a matter of public interest.**

NOTE: A signed electronic copy of the foregoing is attached hereto as a PDF.

Carmencita María Pedro

carmencitapedro@gmail.com

P.O. Box 15616

541 North Paxon Street

Philadelphia, PA 19131

(267) 670-3721 mobile

<https://mail.google.com/mail/u/0/?ik=9a37f32587&view=pt&search=all&permmsgid=msg-a:r6154583731541767637&simpl=msg-a:r615458373154176...> 3/4

10/25/24, 3:38 AM

Gmail - In re: Kerry Lorenzo Fisher, Jr. - A "Permanent Resident" with Tenancy Rights at the Homewood Suites by Hilton Universit...



2024-10-15 - Letter from Carmencita Maria Pedro to Hersha Hospitality Trust and Homewood Suites by Hilton University City.pdf
237K

CARMENCITA MARÍA PEDRO

*P.O. Box 15616 • 541 North Paxon Street • Philadelphia, PA 19131
(267) 670-3721 • carmencitapedro@gmail.com*

Tuesday, 15 October 2024

Via Electronic Mail Neil.Shah@hersha.com

Neil H. Shah, President & Chief Executive Officer, Hersha Hospitality Trust d/b/a Hersha Hospitality Management, 2001 Market Street, Suite 3600, Philadelphia, PA 19103

Via Electronic Mail Christopher.Doyle@hersha.com

Christopher Doyle, Senior Vice President of Asset Management, Hersha Hospitality Trust d/b/a Hersha Hospitality Management, 2001 Market Street, Suite 3600, Philadelphia, PA 19103

Via Electronic Mail Stephanie.Galli@hersha.com

Stephanie Galli, Senior Vice President & General Counsel, Hersha Hospitality Trust d/b/a Hersha Hospitality Management, 2001 Market Street, Suite 3600, Philadelphia, PA 19103

Via Electronic Mail Nancy.Gasperetti@hilton.com

Nancy Gasperetti, General Manager, Homewood Suites by Hilton University City, 4109 Walnut Street, Philadelphia, PA 19104

In re: Kerry Lorenzo Fisher, Jr. – A “*Permanent Resident*” with Tenancy Rights at the Homewood Suites by Hilton University City Pursuant to 61 Pa. Code § 38.3 Presently Being Subject to ILLEGAL Discrimination and ILLEGAL Retaliation Based on Protected Characteristics and the Exercise of Legal, Civil and Constitutional Rights AND Possible Bed Bug Infestation Inside Room 608

Dear Messrs. Shah, Doyle and Gasperetti and Attorney Galli:

My name is Carmencita María Pedro. I am the natural Mother, chosen advocate, authorized representative, identified support person, designated agent, home health aide, and Power of Attorney for my son: Kerry Lorenzo Fisher, Jr. In both my personal and official capacities, I serve Kerry as a passionate, zealous, fearless, assiduous, vociferous, tenacious, efficacious, fastidious, fiercely protective and wholly unapologetic champion for my son’s life, and my son’s health, and my son’s safety, and my son’s well-being, and my son’s emotional stability, and my son’s physical welfare, and my son’s rights, liberties, freedoms, privileges, entitlements, protections, and his best interests.

You have knowledge of the fact that Kerry is an Afro-Latino young man age 31 living with the chronic psychiatric disability of Schizophrenia, in addition to other chronic medical conditions for which he is actively receiving care as a patient of the University of Pennsylvania Health System d/b/a Penn Medicine, with whom the Homewood Suites by Hilton University City shares a fruitful business relationship.

As you know, my son and I checked into the Homewood Suites by Hilton University City forty-two (42) days ago at 5:18 PM the evening of Tuesday, 3 September 2024 under duress and urgent circumstances immediately after Kerry was discharged from Malvern Constitution, LLC d/b/a Malvern Behavioral Health following twenty-one (21) continuous months of acute inpatient psychiatric hospitalization, to which my son voluntarily consented pursuant to Section 201 of the Mental Health Procedures Act of Jul. 9, 1976, P.L. 817, No. 143, Cl. 50 while he patiently waited to receive permanent housing from the City of Philadelphia municipal government that **NEVER** materialized under the administrations of Mayors James F. Kenney or Cherelle L. Parker from the date of Kerry’s initial voluntary admission into Friends Behavioral Health System, LP d/b/a Friends Hospital on Tuesday, 6 December 2022 through the present.

In re: Kerry
Homewood Suites by Hilton University City

15 October 2024
Page 2 of 2

As of September 3rd and each and every day subsequent, Kerry has lived at the Homewood Suites by Hilton University City, 4109 Walnut Street, Room 608, Philadelphia, PA 19104, where I have been physically present assisting my son with his activities of daily living (“ADLS”) and instrumental activities of daily living (“IADLS”) in my official roles as Kerry’s home health aide and Power of Attorney.

You all have full knowledge of the fact that effective Friday, 4 October 2024 – which was thirty-one (31) days after we checked-in at 5:18 PM on September 3rd – Kerry established “*permanent resident*” status at the Homewood Suites by Hilton pursuant to Title 61 Chapter 38 Hotel Occupancy Tax, wherein a “*permanent resident*” and “*rent*” are explicitly defined in plain English at 61 Pa. Code § 38.3. Definitions.

While it is true that you all have an extant legal dispute with us related to and arising from Kerry’s permanent resident status, his tenancy rights, and our “*rent*” payments resulting in the **ILLEGAL discrimination and ILLEGAL retaliation** we are currently enduring at the Homewood Suites by Hilton University City, our physical and mental health, emotional well-being and safety are of most immediate concern to us at this time.

You are hereby served with written notification of the following public health concern:

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Right now, I am actively engaged in the process of scheduling an appointment with my Penn Medicine dermatologist to ascertain a diagnosis and treatment plan for the afflicting skin condition. Of course, I will advise you of the outcome of my medical visit, as it may impact our continued stay in Room 608, possibly necessitating an immediate room change and other related services from the Homewood Suites by Hilton University City to properly rectify **the bed bug infestation**, if any.

Once my immediate healthcare needs are appropriately addressed, I will circle back to you for the express purpose of resolving our legal dispute regarding Kerry’s permanent resident status, his tenancy rights, and our “*rent*” payments which require a resolution to put an end to the **ILLEGAL discrimination and ILLEGAL retaliation** we have recently been subjected to at the Homewood Suites by Hilton University City.

Thank you in advance for your anticipated cooperation and compliance with ALL applicable Federal, State and local laws, regulations, ordinances, codes, rules, bulletins, requirements, policies, procedures, and protocols that are incumbent upon the Homewood Suites by Hilton and each of you to abide in your respective professional capacities.

Very truly yours,



Carmencita Maria Pedro

***Courtesy copies to everyone, everywhere as a matter of public interest.**

As evidenced infra, two (2) Penn Medicine dermatologists saw Pedro in-person for an office visit on Tuesday, 15 October 2024 to diagnosis and treat the **BED BUG BITES** she suffered at the Homewood Suites by Hilton University City:



Penn Medicine
Hospital of the University of Pennsylvania

Department of Dermatology

Jina Chung, MD

October 15, 2024

RE: Carmencita M Pedro

To Whom it May Concern:

We saw Ms. Pedro in our dermatology clinic today due to new-onset pruritic pink papules. Based on our clinical examination, we have a suspicion that these papules represent arthropod bites, specifically bed bug bites. We recommend topical treatment as well as switching rooms/lodging to avoid further bites.

Sincerely,

A handwritten signature in cursive script, appearing to read "Caroline M".

Caroline Myers, MD, Resident Physician
Jing Chung, MD, Attending Physician

The Ruth and Raymond Perelman Center for Advanced Medicine

South Pavilion, 1st Floor | 3400 Civic Center Boulevard | Philadelphia, PA, 19104 | Phone: 215-662-2737 | Fax: 215-349-8339

Upon returning to the Homewood Suites by Hilton University City following Pedro's dermatology appointment, she presented this medical documentation to Ms. Staples who relocated Pedro and Kerry to Room 610 effective the night of Tuesday, 15 October 2024.

10/17/24, 3:45 PM

Gmail - Re: Homewood Suites by Hilton University City - Move-Out from Room 608 and Relocation to Room 610 Due to Bed Bugs



Carmencita Maria Pedro <carmencitapedro@gmail.com>

Re: Homewood Suites by Hilton University City - Move-Out from Room 608 and Relocation to Room 610 Due to Bed Bugs

Carmencita Maria Pedro <carmencitapedro@gmail.com>

Thu, Oct 17, 2024 at 3:45 PM

To: nancy.gasperetti@hilton.com

Cc: Carmencita Maria Pedro <carmencitapedro@gmail.com>, kerry.lorenzo.fisher@gmail.com

Thursday, 17 October 2024, 3:45 PM

Via Electronic Mail to Nancy Gasperetti, General Manager, Homewood Suites by Hilton University City nancy.gasperetti@hilton.com –

Dear Nancy,

Kerry and I were present when Kemar and your pest control contractor arrived. I showed both of them the multiple bite marks that are still visible on my right thigh, and we answered all of their questions regarding our experience.

With the exception of our six (6) laundry bags, Kerry and I have removed all of our personal belongings from Room 608 due to the bed bug bites I am presently suffering. During our conversation with Carla the evening of Tuesday, 15 October 2024, she explicitly advised us not to remove our laundry from Room 608 to avoid transporting bed bugs to Room 610 where she relocated us effective October 15th.

Out of an abundance of caution, we are storing our laundry in the bathtub for the time being. It was my understanding that the guest washers & dryers were awaiting repair. Kemar knocked on the door of Room 610 15 minutes ago to inform me that they are working. Kemar also told me that he was locking Room 608 to keep our laundry secure.

As you already know, aside from the urgent care visit with my Penn Medicine dermatologist on October 15th for the bed bug bites, I had a previously scheduled doctor's appointment yesterday morning, Wednesday, 16 October 2024, at which time I underwent a medical procedure. Right now, I am experiencing pain related to my medical procedure as a result of today's move-out, for which I have contacted my doctor for guidance. I am presently awaiting a call back. I shared this information with Kemar.

Consequently, I am physically unable to do any laundry today. I am resting, taking pain medication, and hoping that what I am experiencing is a minor complication that will quickly pass quickly and enable me to get our laundry done tomorrow, Friday, 18 October 2024. Kemar was advised of the same.

I will contact you in the morning, October 18th.

Thank you,

Carmencita

10/17/24, 3:45 PM

Gmail - Re: Homewood Suites by Hilton University City - Move-Out from Room 608 and Relocation to Room 610 Due to Bed Bugs

Carmencita María Pedro

carmencitapedro@gmail.com

P.O. Box 15616

541 North Paxon Street

Philadelphia, PA 19131

(267) 670-3721 mobile

----- Forwarded message -----

From: **Nancy Gasperetti** <Nancy.Gasperetti@hbmhotels.com>

Date: Thu, Oct 17, 2024 at 1:47 PM

Subject: Homewood Suites University City

To: <carmencitapedro@gmail.com>

Good afternoon, Ms Pedro,

I just wanted to follow up with you to ensure that your belongings have been removed from room 608, as I have received confirmation that the pest control team will be here at 2:30, as you and I previously discussed.

Please confirm.

Thank you,

Nancy

Nancy Gasperetti

General Manager

Homewood Suites by Hilton University City

4109 Walnut Street, Philadelphia, PA 19104

Direct: 1 215 382 1111 Ex: 4905 | Fax: 1 215 382 4444

[homewoodsuites.com](https://www.homewoodsuites.com) | [Facebook](#) | [Twitter](#)



10/25/24, 4:01 AM

Gmail - Re: Homewood Suites by Hilton University City - Move-Out from Room 608 and Relocation to Room 610 Due to Bed Bugs



Carmencita Maria Pedro <carmencitapedro@gmail.com>

Re: Homewood Suites by Hilton University City - Move-Out from Room 608 and Relocation to Room 610 Due to Bed Bugs

Carmencita Maria Pedro <carmencitapedro@gmail.com>

Fri, Oct 18, 2024 at 12:30 PM

To: nancy.gasperetti@hilton.com, "Nancy.Gasperetti@hmmhotels.com" <Nancy.Gasperetti@hmmhotels.com>

Cc: Carmencita Maria Pedro <carmencitapedro@gmail.com>, kerry.lorenzo.fisher@gmail.com

Friday, 18 October 2024, 12:30 PM

Via Electronic Mail to Nancy Gasperetti, General Manager, Homewood Suites by Hilton University City nancy.gasperetti@hilton.com, nancy.gasperetti@hmmhotels.com –

Dear Nancy,

Yesterday, Thursday, 17 October 2024, Kerry and I devoted our time, our attention and our focus on completely moving out of Room 608 due to the multiple bed bug bites that I suffered there earlier this week on Tuesday, 15 October 2024 which are still visible as of the instant date, Friday, 18 October 2024. Fortunately for us, our October 17th move-out was successful, given that Kerry and I removed all of our personal belongings from Room 608 with the exception of our six (6) laundry bags which we are presently storing inside the bathtub.

Please know, we are having a slow start today. In fact, Kerry is still asleep at the moment because he experienced an episode of insomnia last night which is a symptom of his chronic psychiatric disability of Schizophrenia. It is important for my son's physical & mental health that he be fully rested. As soon as he rises, we will present ourselves at the front desk to obtain key cards for both Rooms 610 and 608 in order that we may begin the task of getting our laundry done onsite by day's end.

Recognizing that access to the two washers & dryers inside the guest laundry room are available on a first come first served basis, my son and I plan to be in the building all day until we are finished. Michelle, the housekeeping supervisor, knocked on the door of Room 610 an hour ago inquiring about our status, and I advised her of the same. I also showed Michelle the multiple bed bug bites that are still visible on my right thigh.

Ordinarily, Kerry and I only have two (2) loads of laundry weekly. The bed bug fiasco that began inside Room 608 earlier this week on Tuesday, 15 October 2024 now requires us to wash and re-wash ALL of our clothing out of an abundance of caution. Consequently, **we have ten (10) loads to wash & dry** as a precautionary measure to eradicate all traces of bed bugs before we can safely bring our clothes into Room 610 where Carla relocated us effective October 15th.

Accordingly, Kerry and I are asking the Homewood Suites by Hilton University City to provide us with a credit of **\$60.00** to cover the **ten (10) loads of washing & drying we must now complete** onsite inside the guest laundry room at a cost of \$3.00 per load.

10/25/24, 4:01 AM

Gmail - Re: Homewood Suites by Hilton University City - Move-Out from Room 608 and Relocation to Room 610 Due to Bed Bugs

Pursuant to the Americans with Disabilities Act of 1990, as amended, the entirety of this email should be construed and treated as a formal written request for reasonable accommodations for my son, Kerry, based on his protected characteristic as an individual living with the serious and persistent mental illness of Schizophrenia.

Thank you in advance for your anticipated cooperation.

Carmencita

Carmencita María Pedro

carmencitapedro@gmail.com

P.O. Box 15616

541 North Paxon Street

Philadelphia, PA 19131

(267) 670-3721 mobile

----- Forwarded message -----

From: **Carmencita Maria Pedro** <carmencitapedro@gmail.com>

Date: Thu, Oct 17, 2024 at 3:45 PM

Subject: Re: Homewood Suites by Hilton University City - Move-Out from Room 608 and Relocation to Room 610 Due to Bed Bugs

To: <nancy.gasperetti@hilton.com>

Cc: Carmencita Maria Pedro <carmencitapedro@gmail.com>, <kerry.lorenzo.fisher@gmail.com>

Thursday, 17 October 2024, 3:45 PM

Via Electronic Mail to Nancy Gasperetti, General Manager, Homewood Suites by Hilton University City nancy.gasperetti@hilton.com –

Dear Nancy,

Kerry and I were present when Kemar and your pest control contractor arrived. I showed both of them the multiple bite marks that are still visible on my right thigh, and we answered all of their questions regarding our experience.

With the exception of our six (6) laundry bags, Kerry and I have removed all of our personal belongings from Room 608 due to the bed bug bites I am presently suffering. During our conversation with Carla the evening of Tuesday, 15 October 2024, she explicitly advised us not to remove our laundry from Room 608 to avoid transporting bed bugs to Room 610 where she relocated us effective October 15th.

Out of an abundance of caution, we are storing our laundry in the bathtub for the time being. It was my understanding that the guest washers & dryers were awaiting repair. Kemar knocked on the door of Room 610 15 minutes ago to inform me that they are working. Kemar also told me that he was locking Room 608 to keep our laundry secure.

As you already know, aside from the urgent care visit with my Penn Medicine dermatologist on October 15th for the bed bug bites, I had a previously scheduled doctor's appointment yesterday morning, Wednesday, 16 October 2024, at which time I underwent

<https://mail.google.com/mail/u/0/?ik=9a37f32587&view=pt&search=all&permmsgid=msg-a:r-8942699981132133633&dsqt=1&simpl=msg-a:r-8942699...> 2/3

GASPERETTI acknowledged receipt of Pedro's aforementioned Penn Medicine dermatology medical documentation of 15 October 2024, as evidenced by the email dated Wednesday, 16 October 2024 (9:13 AM) that was addressed and transmitted to carmencitapedro@gmail.com from Nancy.Gasperetti@hhmhotels.com [Subject: "Homewood Suites University City"]. Moreover, GASPERETTI was physically present standing in the hallway outside of Room 608 around 4:00 PM on Friday, 18 October 2024 with several other individuals while Pedro and Kerry retrieved their six (6) laundry bags which they immediately transported to the hotel laundry room bearing the expense for washing, re-washing and drying that was not finished until 11:30 PM.

Notwithstanding, GASPERETTI admittedly conspired with legal counsel for Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management – namely: the Klehr law firm, PHELAN and BANNON – to illegally discriminate and retaliate against Kerry and Pedro in direct response to, because of, subsequent to, contemporaneous with, and immediately after they: 1.) lawfully asserted and exercised Kerry's tenancy rights as a permanent resident of the Homewood Suites by Hilton University City; and 2.) properly and promptly reported the **BED BUG BITES** Pedro suffered in Room 608 on October 15th in compliance with The Philadelphia Code § 9-4800. Responsibilities Concerning Bed Bug Infestation; and 3.) requested reasonable accommodations for Kerry in response to the symptom of insomnia that he experiences due to his chronic psychiatric disability of Schizophrenia – all of which is evidenced herein.

The criminal civil rights conspiracy for which Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management are complicit and culpable has resulted in Klehr, PHELAN and BANNON filing a frivolous, harassing, deleterious lawsuit against Kerry and Ms. Pedro in the Philadelphia Court of Common Pleas along with a so-called "Verified Motion for Emergency Preliminary Injunction," and "Affidavit of Nancy Gasperetti" – all of which are replete with false written statements of material facts, fabrications, and subornation of perjury demonstrative of malicious prosecution and malicious abuse of process whose sole intent and purpose is to admittedly discriminate and retaliate against Kerry and Pedro and intentionally deprive them of their constitutional rights to due process and equal protection under the law based on their protected characteristics. See *Hersha Hospitality Management, L.P. v. Carmencita María Pedro and Kerry Lorenzo Fisher, Jr.* – Case ID No. 241003097, which is scheduled for an emergency hearing today at 9:30 AM.

Furthermore, Klehr, PHELAN, and BANNON filed pleadings on the official record that they and GASPERETTI verified and signed for, and on behalf of, and in the names of themselves and their co-defendants – Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management – which are replete with written admissions of their law-breaking behavior and egregious lies about the Philadelphia Police Department that are easily disproven. In light of the fact that the defendants knowingly and willfully outright lied about the police in their legal papers, they will surely lie about everything.

As evidenced by their very own written words, the defendants Hilton; Campus Realty Properties; Hersha Hospitality Trust; and Hersha Hospitality Management contrived and enforced against Kerry and Pedro arbitrary and capricious rules, requirements and expectations that are not applicable to any white people, including but not limited to enjoying complimentary food and beverages in the morning for breakfast and unfettered usage of our personal cell phones in the public space of the hotel lobby where there is no expectation of privacy. Most outrageous of all is the fact that the defendants falsely accuse Kerry and Pedro of criminal and defiant trespass in their legal papers for which they are vigorously pursuing a Court Order authorizing their dangerous weaponization Mayor Parker's Philadelphia Police Department to abuse, misuse and misappropriate police powers for the admitted purpose of circumventing the rule of law and evading their landlord-tenant obligations to Kerry for illicit financial gain.

All the above singularly and collectively is demonstrative of harassment, intimidation, and disparate treatment against Kerry and Pedro based on their protected characteristics that is designed to intentionally inflict emotional distress, fear and anxiety with the knowledge and assent of Mayor Parker and the City of Philadelphia municipal government under The Tyrannical Parker Administration of FRAUDS & SCAMS, LIES & DECEPTION, Public Corruption and Cronyism – who have abdicated their official duties to enforce compliance with the rule of law.

V. Relief

WHEREFORE, based on the foregoing, the Plaintiffs hereby pray for the following relief from the Court:

1. Punitive and corrective action; declaratory judgment; preliminary, permanent and mandatory injunctive relief; and legal and equitable remedies against the defendants.
2. Punitive and compensatory damages.
3. Any other relief the Court deems fair, just, equitable, fit, appropriate and/or necessary to benefit the Plaintiffs and all others similarly situated.

Respectfully submitted,



Carmencita María Pedro, *pro se* Plaintiff



Kerry Lorenzo Fisher, Jr., *pro se* Plaintiff

Date: Friday, 25 October 2024

VI. Verification


I, Kerry Lorenzo Fisher, Jr., *pro se* Plaintiff, hereby verify that to the best of my personal knowledge, information and belief, the foregoing averments are true and correct.

A handwritten signature in blue ink that reads "Kerry Fisher". The signature is written in a cursive, flowing style.

Kerry Lorenzo Fisher, Jr., *pro se* Plaintiff

Date: Friday, 25 October 2024

I, Carmencita María Pedro, hereby verify that to the best of my personal knowledge, information and belief, the foregoing averments are true and correct.

A handwritten signature in blue ink that reads "Carmencita María Pedro". The signature is written in a cursive, flowing style.

Carmencita María Pedro, *pro se* Plaintiff

Date: Friday, 25 October 2024

***Please note: The civil rights cause of action set forth in full herein shall be amended.**